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NOTES/COMMENTS:

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In re Application of: Seoju Lee
For Patent For: "Pegylated Interleukin-10"
Group Art Unit: 1616
Attorney Docket No.: JB01337K US/ Serial No.: 09/967,223
Filed: 09/28/2001
U.S. Patent No.: 7,052,686 B2

Dear Examiner:

Transmitted here with are:

- Fax Cover Sheet - 1 Page
- Certificate of Transmission under 37 C.F.R. 1.8 PTO/SB/97 - 1 Page
- Petition to Correct Errors on Issued Patent Under C.F.R. 1.322 - 1 Page
- Certificate of Correction PTO/SB/44 - 1 Page (in duplicate)
- Copy of Claim Page of U.S. Patent 7,052,686 B2 - 1 Page


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JUN 29 2006

Docket Number: JB01337K US

Application No: 09/967,223

Filing Date: 09/28/2001

First Inventor: LEE, Seaju

PTO/SB/97 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
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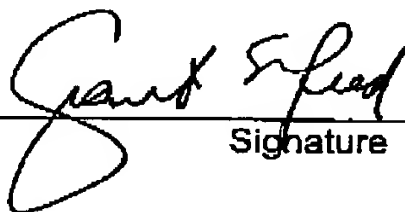
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- Petition to Correct Errors on Issued Patent Under C.F.R. 1.322 - 1 Page
- Certificate of Correction PTO/SB/44 - 1 Page (in duplicate)
- Copy of Claim Page of U.S. Patent 7,052,686 B2 - 1 Page

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JUN 29 2006

PATENT CASE JB01337K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Seoju Lee J.

Appl. No.: 09/967,223

Filed: September 28, 2001

Patent No.: 7,052,686 B2

For: Pegylated Interleukin-10

Examiner: Edward J. Webman

Group Art Unit: 1616

Issue date: May 30, 2006

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO CORRECT ERROR IN ISSUED PATENT

Petition is hereby made under 37 C.F.R. § 1.322 to correct an error in the claims of the above-identified issued patent. The error is noted on Form PTO/SB/44 enclosed herewith.

Applicants respectfully submit that the error is due to a mistake by the Office. Accordingly, it is believed that no fee is due. Issuance of a Certificate of Correction is respectfully requested. If there are any questions, please contact the undersigned.

June 29, 2006

Respectfully submitted,

SCHERING-PLOUGH CORPORATION
Patent Department, K-6-1, 1990
2000 Galloping Hill Road
Kenilworth, New Jersey 07033-0530
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Grant E. Reed
Reg. No. 41,264

JUL 05 2006

Docket Number: JB01337K US

Application No: 09/967,223

Filing Date: 09/28/2001

Express Mail Label:

PTO/SB/44 (04-04)

Approved for use through 04/30/2007, OMB 0851-0033

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(Also Form PTO-1050)**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : 7,052,686 B2

DATED : 05/30/2006

INVENTOR(S) : LEE, Seju

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

10. A process for preparing a pharmaceutical composition comprising the mono-PEG-IL-10 according to claim 1, comprising mixing the mono-PEG-IL-10 with a pharmaceutically acceptable carrier.

MAILING ADDRESS OF SENDER:

GRANT E. REED, Reg. No. 41,264

Schering-Plough Corporation, Patent Dept, K-8-1, 1990

2000 Galloping Hill Road, Kenilworth NJ 07033-0530

PATENT NO. 7,052,686 B2

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DUPLICATE

Docket Number: JB01337K US

Application No: 09/967,223

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Schering-Plough Corporation, Patent Dept, K-6-1, 1990
2000 Galloping Hill Road, Kenilworth NJ 07033-0530PATENT NO. 7,052,686 B2

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JUL 05 2006

US 7,052,686 B2

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10. A process for preparing a pharmaceutical composition comprising the mono-PEG-IL-10 according to claim 1, comprising mixing the mono-PEG-IL-10 with a pharmaceutically acceptable carrier.

11. The mono-PEG-IL-10 according to claim 1, wherein the IL-10 is human IL-10.

12. A pharmaceutical composition comprising the mono-PEG-IL-10 according to claim 11 and a pharmaceutical carrier.

13. The mono-PEG-IL-10 according to claim 11, wherein the PEG molecule has a molecular weight of 12,000 or 20,000 daltons.

14. A pharmaceutical composition comprising the mono-PEG-IL-10 according to claim 13 and a pharmaceutical carrier.

15. A pharmaceutical composition comprising the mono-PEG-IL-10 according to claim 1 in combination with a pharmaceutically acceptable carrier.

16. A method of treating inflammation in an individual in need of such treatment, comprising administering to the individual a therapeutically effective amount of the pharmaceutical composition according to claim 15.

17. A process for preparing the mono-PEG-IL-10 according to claim 1, comprising the step of:
reacting IL-10 with an activated PEG-aldehyde linker in the presence of a reducing agent to form the mono-PEG-IL-10 under conditions in which the linker is covalently attached to one amino acid residue of the IL-10.

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18. The process according to claim 17 wherein:

(a) the reducing agent is sodium cyanoborohydride;

(b) the activated PEG-aldehyde linker is PEG-propionaldehyde;

(c) the PEG is a methoxy-PEG;

(d) the linker is multi-armed;

(e) the ratio of IL-10 to the sodium cyanoborohydride is from about 1:0.5 to 1:50;

(f) the total molecular mass of all PEG comprising the PEG-aldehyde linker is from 3,000 daltons to 60,000 daltons; or

(g) the reacting step is performed at a pH of 5.6 to 7.8.

19. The process according to claim 17, wherein the ratio of IL-10 to the sodium cyanoborohydride is 1:5 to 1:15.

20. The process according to claim 17, wherein the total molecular mass of all PEG comprising the PEG-aldehyde linker is from 10,000 daltons to 36,000 daltons.

21. The process according to claim 17, wherein the reacting step is performed at a pH of 6.3 to 7.5.

22. The process according to claim 17, further comprising a step selected from:

incubating the mono-PEG-IL-10 product in a buffer at pH 5.0 to 9.0; or

treating the mono-PEG-IL-10 product with 0.05 to 0.4 M hydroxylamine HCl salt.

* * * * *

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